

EDUCATIONAL EXAMINERS BOARD[282]

Adopted and Filed

Pursuant to the authority of Iowa Code section 272.2, the Board of Educational Examiners hereby amends Chapter 25, “Code of Professional Conduct and Ethics,” Iowa Administrative Code.

This amendment prohibits romantic or sexual relationships between licensees and former students for 90 days following the student’s last date of enrollment, if the licensee and the student previously had a direct and supervisory relationship. The amendment adds an additional ethics violation under paragraph 25.3(1)“e” (“Student abuse”) specifically for students no longer enrolled in a school district.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0992C** on September 4, 2013.

A public hearing was held on September 25, 2013, with written comment accepted until 4 p.m. on September 27, 2013. No one attended the public hearing. Board staff received one written comment in support of the amendment from the Iowa Girls’ High School Athletic Union.

This amendment is identical to that published under Notice.

After analysis and review of this rule making, there is no anticipated impact on jobs.

This amendment is intended to implement Iowa Code section 272.2(1)“a.”

This amendment will become effective December 18, 2013.

The following amendment is adopted.

Amend subrule 25.3(1) as follows:

25.3(1) *Standard I—conviction of crimes, sexual or other immoral conduct with or toward a student, and child and dependent adult abuse.* Violation of this standard includes:

a. to d. No change.

e. *Student abuse.* Licensees shall maintain professional relationships with all students, both inside and outside the classroom. The following acts or behavior constitutes unethical conduct without regard to the existence of a criminal charge or conviction:

(1) to (4) No change.

(5) Furnishing alcohol or illegal or unauthorized drugs or drug paraphernalia to any student or knowingly allowing a student to consume alcohol or illegal or unauthorized drugs in the presence of the licensee; ~~or~~

(6) Failing to report any suspected act of child or dependent adult abuse as required by state law; ~~or~~

(7) Committing or soliciting any sexual conduct as defined in Iowa Code section 709.15(3) “b” or soliciting, encouraging, or consummating a romantic relationship with any person who was a student within 90 days prior to any conduct alleged in the complaint, if that person was taught by the practitioner or was supervised by the practitioner in any school activity when that person was a student.

[Filed 10/16/13, effective 12/18/13]

[Published 11/13/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 11/13/13.